



Maricopa County **ORIGINAL**  
Public Works



0000084198

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2008 APR 15 P 1:42

AZ CORP COMMISSION  
DOCKET CONTROL

2901 W. Durango St  
Phoenix, AZ 85009  
Phone: 602-506-4889  
Fax: 602-506-5969  
www.maricopa.gov

April 15, 2008

Railroad Safety, Arizona Corporation Commission  
C/O Docket Control  
1200 West Washington  
Phoenix, AZ 85007

Dear Sir or Madam:

Subject: MCDOT Project TT087 – Procedural Orders by the Commission - Docket No.  
RR-03639A-08-0066

Per the ACC Procedural Order, Maricopa County Department of Transportation (MCDOT) provided the Railroad, municipalities and interested parties affected by the application related to Docket No. RR-03639A-08-0066, a copy of the application and the Procedural Order by certified mail.

Additionally, MCDOT provided a public notice of the hearing by newspaper publication in the city/county where the crossing is located.

Should you have questions, I can be contacted at 602-506-5992.

Sincerely,

Kelly L. Roy  
MCDOT Utility Project Coordinator

Arizona Corporation Commission  
**DOCKETED**

APR 15 2008

DOCKETED BY	NR
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Enclosure: Certified Mail receipts and Affidavit of Publication

Able Industrial Properties, LLC,  
Mr. Lee Benson  
2920 E. Chambers St.  
Phoenix, AZ 85040

Verma Family Trust, Mr. Avtar Verma  
1038 W. Southern Ave.  
Tempe, AZ 85282

Harsch Investment Properties, Mr.  
Michael Zahn  
1121 SW Salmon St., 6<sup>th</sup> Floor  
Portland, OR 97205

Queen Creek Properties c/o Mr. Preston Steenhoek  
8100 N. 3<sup>rd</sup> Avenue  
Phoenix, AZ 85021

Dan Cook  
Assistant Public Works Director  
City of Chandler  
Mail Stop 402  
P.O. Box 4008  
Chandler, AZ 85244-4008

Paul Szablowski  
Vice President of Public Relations & Marketing  
Catholic Healthcare West – East Valley Market  
1875 W. Frye Road  
Chandler, AZ 85224

Jeanette Polvani  
Chandler Unified School District  
1525 W. Frye Road  
Chandler, AZ 85224

Tom Carlson  
Chandler Fire Department  
Mail Stop 801  
PO Box 4008  
Chandler, AZ 85244

Curt Slagell  
AZTEC Engineering  
4561 East McDowell Road  
Phoenix, AZ 85008-4505

James H. Smith  
UNION PACIFIC RAILROAD COMPANY  
10031 Foothills Boulevard  
Roseville, California 95747

Kelly L. Roy, Utility Coordinator  
MARICOPA COUNTY  
2901 West Durango Street  
Phoenix, Arizona 85009-6357

John Syers  
Railroad Engineering Coordinator  
ARIZONA DEPARTMENT OF  
TRANSPORTATION  
205 South 17<sup>th</sup> Avenue, M/D 618E  
Phoenix, Arizona 85007

Dick Schaner  
Special Transportation Project Manager  
TOWN OF QUEEN CREEK  
22350 South Ellsworth Road  
Queen Creek, Arizona 85242


Christopher Kempley, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Ray Buglion, P.E.  
Principal Engineer, CIP Construction Management  
P.O. Box 4008 M/S 411  
Chandler, AZ 85244

Sami Ayoub  
MCDOT Project Manager  
2901 West Durango Street  
Phoenix, Arizona 85009-6357

Brian Lehman, Chief  
Railroad Safety Section of the Safety  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE  
2200 North Central Street, Suite 500  
Phoenix, Arizona 85004-1481

By:   
Debra Broyles  
Secretary to Marc Stern

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

*Wise Transport Properties  
ATTN: Mr. Michael Barker  
121300 3rd Street S.W.  
Portland, OR  
-97205-*

Article Number  
(Transfer from service label)

7007 2680 0002 9601 5029

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
*[Signature]* ☐ Addressee

B. Received by (Printed Name) *STORAK* C. Date of Delivery *3-8-05*

D. Is delivery address different from item 1? ☐ Yes ☒ No  
If YES, enter delivery address below:

**MAR 10 2005**

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

6022 6026 6000 0190 9002

NOT POSTED AT THIS ADDRESS  
RIGHT TO RETURN FOR UNDELIVERED MAIL

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Green Creek Properties  
ATTN: Mr. Preston Shanker  
8100 N. 3rd Ave.  
Phx. AZ 85021*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
*[Signature]* ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☒ No  
If YES, enter delivery address below:

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent  
 B. Received by (Printed Name) ☐ Addressee  
 C. Date of Delivery ☐ 3-4-08  
 D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type ☐ Express Mail  
☐ Certified Mail ☐ Return Receipt for Merchandise  
☐ Registered ☐ C.O.D.  
☐ Insured Mail  
 4. Restricted Delivery? (Extra Fee) ☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

JOHN SYERS  
 AZ DEPT. OF TRANS.  
 205 So. 17th Ave.,  
 M/D 618E  
 Phoenix, AZ 85007

## 2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-N

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

DICK SCHANER  
 TOWN OF Queen Creek  
 22350 So. Ellsworth Rd.  
 Queen Creek, AZ  
 85242

## 2. Article Number

(Transfer from service label)

7006 0810 0003 9203 2261

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-P

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Dan Cook  
 City of Chandler  
 Mail Stop 402  
 P.O. Box 4008  
 Chandler, AZ  
 85244-4008

## 2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

## COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent  
☒ Addressee  
 B. Received by (Printed Name) ☐ Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

FEB 29 2008

## 3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

ARIZONA REPORTING-  
 SERVICE INC.  
 2200 N. Central St.  
 Suite 502  
 Phoenix, AZ 85004-1481

## COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent  
 B. Received by (Printed Name) ☐ Addressee  
 C. Date of Delivery ☐ FEB 29 2008  
 D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type ☐ Express Mail  
☐ Certified Mail ☐ Return Receipt for Merchandise  
☐ Registered ☐ C.O.D.  
☐ Insured Mail  
 4. Restricted Delivery? (Extra Fee) ☐ Yes

## SENDER: COMPLETE THIS SECTION

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Dan Cook  
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 Chandler, AZ  
 85244-4008

## 2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

## COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent  
☒ Addressee  
 B. Received by (Printed Name) ☐ Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

FEB 29 2008

## 3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Tom Carlson  
 Chandler Fire Dept.  
 Mail Stop 801  
 P.O. Box 4008  
 Chandler, AZ 85244

## 2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

## COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent  
☒ Addressee  
 B. Received by (Printed Name) ☐ Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

FEB 29 2008

## 3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Sami Ayoub  
 MCDOT Proj. Mngt.  
 2901 W. DURANGO ST.  
 PHOENIX, AZ 85009

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

FEB 29 2008

3. Service Type

- ☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kelly Roy - MCDOT  
 2901 W. DURANGO ST.  
 PHOENIX, AZ 85009-6357

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CHRISTOPHER KEMPLEY  
 AZ. CORPORATION COMM.  
 1200 W. WASHINGTON ST.  
 PHOENIX, AZ 85007

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JAMES H. SMITH  
 UPRR COMPANY  
 10031 FOOTHILLS BLVD.  
 ROSEVILLE, CA  
 95747

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

Charles Tuscher  
 Charles Tuscher

B. Received by (Printed Name)

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

FEB 29 2008

3. Service Type

- ☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

Marvin Demery  
 Marvin Demery

B. Received by (Printed Name)

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

MAR 3 - 2008

3. Service Type

- ☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

Randall V. Johnson  
 Randall V. Johnson

B. Received by (Printed Name)

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

C. Date of Delivery

3-4-08

3. Service Type

- ☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Veran Family Trust  
 Attn: Mr. Aratan Venn  
 1038 W. BROADWAY AVE.  
 TEMPE, AZ 85282

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

AFFIDAVIT OF PUBLICATION  
UNION PACIFIC CROSSING/QUEEN  
CREEK

01

# Arizona Business Gazette

The business resource

PO BOX 194  
Phoenix, Arizona 85001-0194  
(602) 444-7315 FAX (602) 444-7364

STATE OF ARIZONA  
COUNTY OF MARICOPA

} SS.

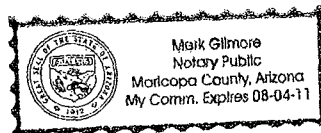
Ed Carlise, being first duly sworn, upon oath deposes and says: That of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates indicated.

3/27/2008

4/3/2008

4/10/2008

Sworn to before me this  
14TH day of  
APRIL 2008



*Mark Gilmore*  
Notary Public

IN THE MATTER OF THE APPLICATION  
OF THE MARICOPA COUNTY DEPART-  
MENT OF TRANSPORTATION TO  
UPGRADE A CROSSING OF THE UNION  
PACIFIC RAILROAD AT QUEEN CREEK  
ROAD IN MARICOPA COUNTY, ARIZONA,  
AAR/DOT NO. 741-678-5,  
(DOCKET NO. 03639A-08-006)

On February 4, 2008, the Maricopa  
County Department of Transportation  
("MCDOT") filed with the Arizona Cor-  
poration Commission ("Commission")  
an application for approval for the Un-  
ion Pacific Railroad ("Railroad") to up-  
grade an existing crossing at Queen  
Creek Road in Maricopa County, Arizona  
at AAR/DOT No. 741-678-5.

The application is available for inspec-  
tion during regular business hours at  
the offices of the Commission in Phoe-  
nix, at 1200 West Washington Street,  
Phoenix, Arizona, and on the internet  
via the Commission website  
(www.azcc.gov) using the e-docket  
function.

The Commission will hold a hearing on  
this matter commencing on April 22,  
2008, at 9:30 a.m., at the Commission's  
offices, 1200 West Washington Street,  
Phoenix, Arizona. Public comments will  
be taken on the first day of the hearing.

The law provides for an open public  
hearing at which, under appropriate cir-  
cumstances, interested parties may in-  
tervene. Intervention shall be permitted  
to any person entitled by law to in-  
tervene and having a direct and substan-  
tial interest in the matter. Persons de-  
siring to intervene must file a written  
motion to intervene with the Commis-  
sion, which motion should be sent to  
Applicant or its counsel and to all par-  
ties of record, and which, at the mini-  
mum, shall contain the following:

1. The name, address, and telephone  
number of the proposed intervenor and  
of any party upon whom service of  
documents is to be made if different  
than the intervenor.

2. A short statement of the proposed in-  
tervenor's interest in the proceeding  
(e.g., a customer of Railroad, a neigh-  
boring property owner, a crossing user,  
etc.).

3. A statement certifying that a copy of  
the motion to intervene has been  
mailed to the Applicant or its counsel  
and to all parties of record in the case.

The granting of motions to intervene  
shall be governed by A.A.C. R14-3-105,  
except that all motions to intervene  
must be filed on or before April 11, 2008.  
The granting of intervention, among  
other things, entitles a party to present  
sworn evidence at hearing and to cross-  
examine other witnesses. However, fail-  
ure to intervene will not preclude any  
customer from appearing at the hearing  
and making a statement on such cus-  
tomer's own behalf.

If you have any questions about this ap-  
plication, you may contact the applicant  
at (602) 506-5992. If you wish to file  
written comments on the application or  
want further information on interven-  
tion, you may write the Consumer Ser-  
vices Section of the Commission at 1200  
West Washington Street, Phoenix, Ari-  
zona 85007 or call 1-800-222-7800 or ap-  
pear at the hearing and make comment.  
The Commission does not discriminate  
on the basis of disability in admission to  
its public meetings. Persons with disa-  
bility may request a reasonable accom-  
modation such as a sign language in-  
terpreter, as well as request this document  
in an alternative format, by contacting  
Linda Hogan, ADA Coordinator, voice  
phone number (602) 542-3931. E-mail  
hogan@azcc.gov. Requests should be  
made as early as possible to allow time  
to arrange the accommodation.

Published: March 27, April 3, 10, 2008